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2008 JUL 23 A 9 03

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U.S. DISTRICT COURT  
NO. DIST. OF CA. S.J.

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5 UNITED STATES DISTRICT COURT  
6 NORTHERN DISTRICT OF CALIFORNIA

## 7 SAN JOSE DIVISION

8 JDS UNIPHASE, a Delaware Corporation,

9 Plaintiff,

10 v.

11 SYNTUNE, AB, a Swedish corporation;  
12 CYOPTICS, INC, a Delaware corporation,

13 Defendants.

C08 03498

JL

Case No.:  
**APPLICATION FOR ADMISSION OF  
ATTORNEY DAVID J. F. GROSS PRO  
HAC VICE**

14  
15 Pursuant to Civil L.R. 11-3, David J. F. Gross, an active member in good standing of the bar  
16 of Minnesota, hereby applies for admission to practice in the Northern District of California on a  
17 *pro hac vice* basis, representing Plaintiff JDS Uniphase Corporation in the above-entitled action.

18 In support of this application, I certify on oath that:

19 1. I am an active member in good standing of a United States Court or of the highest  
20 court of another State or the District of Columbia, as indicated above;

21 2. I agree to abide by the Standards of Professional Conduct set forth in Civil Local  
22 Rule 11-4, to comply with General Order 45, Electronic Case Filing, and to become familiar with the  
23 Local Rules and the Alternative Dispute Resolution programs of this Court; and

1       3. An attorney who is a member of the bar of this Court in good standing and who  
2 maintains an office within the State of California has been designated as co-counsel in the above-  
3 entitled action. The name, address and telephone number of that attorney is:

4              Heather N. Mewes

5              Fenwick & West LLP

6              555 California Street, 12th Floor

7              San Francisco, California 94104

8              Telephone: 415-875-2300

9 I declare under penalty of perjury that the foregoing is true and correct.

10             DATED: July 21, 2008.

11               
12             David J. F. Gross (*pro hac vice*)

13             fb.us.3036387.01